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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MICHAEL J. WELLS,

Case No. 3:19-cv-00407-MMD-CLB

Plaintiff,

v.

JOVITA CARRANZA , in her official capacity as the Administrator of the U.S. SMALL BUSINESS ADMINISTRATION, DOES 1-10; ROE CORPORATIONS I through X,

Defendants.

**STIPULATION FOR EXTENSION OF DEADLINES FOR PLAINTIFF'S DEPOSITION AND DISPOSITIVE MOTIONS**

(Second Request)

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and Local Rule IA 6-1, Plaintiff, MICHAEL J. WELLS and Defendant JOVITA CARRANZA respectfully request to extend the deadlines to take Plaintiff's deposition and file dispositive motions in the case. For the reasons set forth below, good cause exists to extend the deadlines, as requested.

20     **A. DISCOVERY AND OTHER MATTERS COMPLETED TO DATE**

The parties held an initial discovery conference pursuant to Fed. R. Civ. P. 26(f), and submitted their initial disclosures, as required by Rule 26(a). The parties also filed their Proposed Joint Discovery Plan and Scheduling Order, which the Court approved on February 12, 2020. (ECF Nos. 11-12). On April 7, 2020, Plaintiff submitted a written settlement demand to Defendant. Defendant and Plaintiff have each responded to reciprocal interrogatories and requests for production submitted by the other party. The parties have also made multiple voluntary disclosures of thousands of pages of documents.

**B. DISCOVERY THAT REMAINS TO BE COMPLETED AND REASONS WHY THAT DISCOVERY HAS NOT BEEN COMPLETED**

The only discovery that remains in the case is Defendant wishes to depose Plaintiff. The parties have had difficulty finding a mutually convenient time to schedule Plaintiff's deposition, thereby necessitating the need for more time. In addition, defense counsel has been assisting her office in responding to emergency litigation raising COVID-19 issues. The Court is generally considering motions in those cases on a shortened briefing schedule.

## C. PROPOSED REVISED DISCOVERY SCHEDULE

Defendant plans to depose Plaintiff by November 2, 2020, and the parties plan to file any dispositive motions by December 2, 2020. If dispositive motions are filed, the joint pre-trial order would be due 30 days after a decision on such motions. Disclosures under Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be included in the Joint Pretrial Order.

For the above reasons, the parties respectfully request that the Court grant the stipulation extending the deadlines for Plaintiff's deposition and dispositive motions in the case. *See* Fed. R. Civ. P. 6(b)(1)(A) ("When an act may or must be done within a specified time, the court may, *for good cause*, extend the time...with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires[.]") (emphasis added). This is the second request to extend discovery in the case. This stipulated request is filed in good faith and not for the purpose of undue delay.

Respectfully submitted this 24th day of September 2020.

# **ERICKSON, THORPE & SWAINSTON. LTD.**

/s/ John C. Boyden  
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PAUL M. BERTONE, ESQ.  
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**NICHOLAS A. TRUTANICH**  
**United States Attorney**

/s/ Holly A. Vance  
HOLLY A. VANCE  
Assistant United States Attorney  
Attorneys for Joвита Carranza

## IT IS SO ORDERED.

**DATED:** September 25, 2020.

  
**CARLA BALDWIN**  
**U.S. MAGISTRATE JUDGE**